United Nations S/2002/585

Security Council

Distr.: General
28 May 2002

Original: English

Letter dated 24 May 2002 from the Permanent Representative of Yugoslavia to the United Nations addressed to the President of the Security Council

On instructions from my Government and in the aftermath of today's meeting of the Security Council, I am hereby enclosing the letter of the Federal Minister for Foreign Affairs of the Federal Republic of Yugoslavia, Goran Svilanovic, addressed to you, concerning recent developments in the Assembly of Kosovo and Metohija (see annex).

I would appreciate if you circulated this letter and its annex as a document of the Security Council.

(*Signed*) Dejan **Šahović**
Ambassador
Permanent Representative

02-40189 (E) 280502

Annex to the letter dated 24 May 2002 from the Permanent Representative of Yugoslavia to the United Nations addressed to the President of the Security Council

I am writing to you concerning the adoption of a resolution in the Assembly of Kosovo yesterday, contesting two very important documents: the Agreement for the delineation of the borderline between the Republic of Macedonia and the Federal Republic of Yugoslavia and the Federal Republic of Yugoslavia-United Nations Interim Administration Mission in Kosovo (UNMIK) Common Document, signed at the end of last year by the Federal Republic of Yugoslavia and UNMIK with a view to consistently implementing Security Council resolution 1244 (1999).

Despite the efforts of the Federal Republic of Yugoslavia and the warning contained in the statement of the Security Council of 22 May 2002 and that of the Special Representative of the Secretary-General, Michael Steiner, the representatives of the Albanian parties in the Assembly of Kosovo went on to adopt this resolution.

The resolution of the Assembly of Kosovo brings into question the authority of the Security Council. I therefore appreciate the positions taken by the Security Council at the meeting convened at the request of the delegation of the Federal Republic of Yugoslavia on 24 May 2002 to the effect that the resolution of the Assembly of Kosovo does not fall within its field of competence and that it is null and void. The Federal Republic of Yugoslavia welcomed the decision of Special Representative Michael Steiner to declare the resolution invalid and concurs with the support extended to him by the Security Council.

In the wake of the action of the Security Council, the legal aspects of this issue are no doubt quite clear, yet its political implications in the context of the future of the Province and the stability of the region as a whole are highly worrisome.

Let me recall that the Agreement for the delineation of the borderline between the Republic of Macedonia and the Federal Republic of Yugoslavia was signed by two sovereign States and its validity therefore cannot be questioned in any way. The Agreement was supported in the presidential statement of 7 March 2001 (S/PRST/2001/7). The same is true of the Federal Republic of Yugoslavia-UNMIK Common Document, which provides the basis for cooperation of its parties in the implementation of resolution 1244 (1999) (see S/PRST/2001/34).

Bringing into question these documents is a dangerous signal for the safety of the borders and, by extension, for the security of the entire region. It also has major political implications since it was in the Common Document that the Kosovo Serbs saw the possibility of a normal life and decided, in the wake of its adoption, to participate in the Province-wide elections last November. They may not do so if the abuse of major documents is repeated in the future.

The Assembly of Kosovo would therefore make a great contribution to the re-establishment of trust and confidence in Kosovo and Metohija if it accepted the positions of the Security Council and abolished its resolution. For its part, the Security Council should devise concrete preventive mechanisms to ensure that the Provisional Institutions of Self-Government in this Serbian Province, including its Assembly, abide by Security Council decisions and fully respect the authority of the Special Representative and UNMIK, and sanction violations of resolution 1244 (1999).

(*Signed*) Goran **Svilanovic**